impeachment may not be used when the witness is a non-expert, *Loring* v. *Warren County,* 1 Ky. L. Rep. 340; *People* v. *Patrick,* 182 N. Y. 131, but that it is admissible when he is a handwriting expert, *Browning* v. *Gosnell,* 91 Ia. 448; *Hoag* v. *Wright,* 174 N. Y. 36. Still others hold that it is inadmissible in either case, basing their holding upon the ground that comparisons may be made only with admittedly genuine signatures upon direct examination, and that the same rule is applicable to cross-examination. *Gaunt* v. *Harkness,* 53 Kan. 405; *Fourth National Bank of Fayetteville* v. *McArthur,* 84 S. E. 39; ROGERS, EXPERT TESTIMONY (2d ed.) p. 342, § 144. In the light of the various views which different courts have taken of the subject, it is difficult to determine where the weight of authority lies, but reason and expediency would seem to be with those courts which permit the handwriting expert so to be impeached, and against the holding in the principal case. *Hoag* v. *Wright,* 174 N. Y. 36.

GIFTS—EXPECTANT ESTATE IN PERSONALTY.—Where the owner of shares of stock gives a certificate for a number of these shares to a third person, with instructions to deliver the same to his daughter, only in case of his death, *held,* that such transaction creates an expectant estate in personal property. *Innes* v. *Potter* (Minn. 1915) 153 N. W. 604.

Under § 3213 of MINN. REV. ST. 1905, authorizing a freehold estate as well as chattels real to be created commencing at a future day, deeds of real estate granted in the manner of the principal case have long been held to vest complete title in the grantee after the death of the grantor. *Haeg* v. *Haeg,* 53 Minn. 33, 35 N. W. 114; *Wicklund* v. *Lindquist,* 102 Minn. 34, 113 N. W. 631; *Dickson* v. *Miller,* 124 Minn. 346, 145 N. W. 112. In early times expectant estates in personalty were unknown because of such property's changeability and comparative insignificance. But the present trend of development, both in England and the United States, is toward a general recognition of future estates in personalty with an evident disregard for all prior imposed limitations and restrictions, the estate being held good whether made by will or by deed and whether the goods or merely the use of the goods be given to the first legatee. 2 KENT, COM. (13th Ed.) 352, 353 and notes: *Longworthy* v. *Chadwick,* 13 Conn. 42. The principal case brings Minnesota into accord with what seems to be the settled law of most jurisdictions: namely, that the donor may create a valid expectant estate in personalty, by gift made absolute by delivery to some third person, the right of enjoyment in the donee being postponed until after the death of the donor. *Grand Trust and Savings Co.* v. *Tucker,* 49 Ind. App. 345, 96 N. E. 487; *Tucker* v. *Tucker,* 138 Iowa 344, 116 N. W. 119; *Meriwether* v. *Morrison,* 78 Ky. 572; *Greene* v. *Tulane,* 52 N. J. Eq. 169, 28 Atl. 9.

HUSBAND AND WIFE—ALIENATION OF AFFECTIONS—LIABILITY OF RELATIVES. —The defendants who were the parents, brothers and sisters of the plaintiff's wife made threats upon the life of the plaintiff and informed his wife that she "must choose between them and him," wherefore the plaintiff's wife was induced to abandon him. Plaintiff was unobjectionable as a husband, and the only apparent reason for the interference by the relatives was the fact that

the parties had eloped. *Held,* that there was sufficient evidence to show a malicious and malignant motive, and that the interference was not to better the condition of the wife. Verdict in husband's favor sustained. *Ratcliffe* v. *Walker* (Va. 1915) 85 S. E. 575.

This case is one of first impression in Virginia and the ruling is in accord with the trend of judicial opinion in this country. Ordinarily, parents are not liable for alienation of affections if they act from worthy motives and the circumstances are apparently such as would reasonably justify them. Vide PECK, DOM. REL., § 13; SCHOULER, DOM. REL. 58, 59; *Hutchison,* v. *Peck,* 5 Johns (N. Y.) 196; *White* v. *Ross,* 47 Mich. 172; *Bennet* v. *Smith,* 21 Barb. 439; *Fronk* v. *Fronk,* 159 Mo. App. 543, 141 S. W. 692; *Oakman* v. *Belden,* 94 Me. 280; *Smith* v. *Lyke,* 13 Hun. (N. Y.) 204; *Huling* v. *Huling,* 32 Ill. App. 519; *Payne* v. *Williams,* 63 Tenn. (4 Baxt.) 583; *Gloss* v. *Bennett,* 89 Tenn. 478; *Beisel* v. *Gerlach,* 221 Pa. St. 232. In *Powell* v. *Benthol,* 136 N. C. 145, 48 S. E. 598 the same doctrine was applied, the defendants being a sister and brother-in-law of the wife. The privilege has been accorded one standing in loco parentis, *Trumbull* v. *Trumbull,* 71 Neb. 186, 98 N. W. 683, but in an English case, *Smith* v. *Koye,* 20 T. L. R. 261 [1904], which was an action by husband against his wife's brother and her sister-in-law, the court in summing up failed to state anything regarding privilege. But there is no doubt of the liability of near relatives if their motives are sinister and malicious. *Allen* v. *Forsythe* (Mo.) 142 S. W. 820; *Jones* v. *Monson,* 137 Wis. 478. The quo animo rather than the relationship is the test to be applied in determining liability.

INSURANCE—MUTUAL BENEFIT—RIGHTS OF BENEFICIARY.—Plaintiff and defendant were co-beneficiaries of a mutual insurance policy, and, because of the representations of defendant to deceased, he had the benefit certificate cancelled, and a new one made out naming the defendant as sole beneficiary. After the death of insured, the defendant collected the amount of the policy; plaintiff brings an action on the case for damages amounting to the sum she would have received had not the certificate been changed. *Held,* that the false, malicious and fraudulent statements of the defendant constitute a basis for recovery in an action on the case. *Mitchell* v. *Langley,* (Ga. 1915) 85 S. E. 1050.

The court recognized the existence of a contrary doctrine which holds that a beneficiary in a mutual benefit policy has no vested interest, but a mere expectancy, which is not property, and hence cannot be protected by the law. *Hoeft* v. *Supreme Lodge Knights of Honor,* 113 Cal. 91; *Alfsen* v. *Crouch,* 115 Tenn. 352; *Brown* v. *Grand Lodge of Ancient Order of United Workmen,* 80 Iowa 287; *Schillinger* v. *Boes,* 85 Ky. 357. The case of *Alfsen* v. *Crouch,* supra, refused to allow a recovery by the first beneficiary in a suit against the second, and in the Iowa case the beneficiary was held not able to recover against the insurer for the fraud by which she had been induced to give up her certificate. The decision in the principal case is based on the holding that, although the beneficiary has not such a vested interest as will prevent a change being made, yet he has such an interest as will authorize